

I. AMENDMENTS

Please amend the subject application as follows:

In the specification:

Please delete the table appearing on page 1, lines 12-21, the last sentence appearing on page 3, lines 35-36, and the last sentence appearing on page 6, lines 20-22.

In the claims:

Claim 1, line 1, delete "isolated" and line 3, after "821" insert -141-.

Claim 4, line 1, delete "isolated" and line 2, after Claim 1, insert "or Claim 23".

Claims 19 and 20, capitalize "claim 12" and add after "12" -or Claim 23-.

Cancel Claim 21, without prejudice or disclaimer.

Please amend claims 5, 8 and 12 under the provisions of 37 C.F.R. § 1.121(b) by deleting the bracketed material and inserting the underlined material:

D1
5. (twice amended) An isolated nucleic acid having a nucleotide sequence consisting [essentially] of the sequence of SEQ ID NO 29 [and further characterized as consisting of guanine at nucleotide 821].

D2
8. (twice amended) A nucleic acid comprising: [a first polynucleotide] polynucleotides coding for the surface proteins HA and NA of a selected wild type influenza virus; polynucleotides coding for PB1, PA and M of a selected

D 2 cold-adapted influenza virus; [and a second polynucleotide operatively-linked thereto, wherein the second] and a polynucleotide coding for PB2 which consists [essentially] of the sequence of SEQ ID NO 15 [and further characterized as consisting of guanine at nucleotide 821 and cytosine at position 1933], the polynucleotides being operatively linked to each other.

12. (twice amended) A vaccine comprising [a first polynucleotide] polynucleotides coding for the surface proteins HA and NA of a selected wild type influenza virus; polynucleotides coding for PB1, PA and M of a selected cold-adapted influenza virus; [and a second polynucleotide operatively-linked thereto, wherein the second] and a polynucleotide coding for PB2 which consists [essentially] of the sequence of SEQ ID NO 15 [and further characterized as consisting of guanine at nucleotide 821 and cytosine at position 1933], the polynucleotides being operatively linked to each other.

Please add new claims 22 to 24:

D 4 22. (new) The polynucleotide of Claim 8, wherein the polynucleotide coding for M is either of SEQ ID NOS 5 or 7; the polynucleotide coding for PB1 is SEQ ID NO 13; and the polynucleotide coding for PA is SEQ ID NO 11.

23. (new) The vaccine of Claim 12, wherein the polynucleotide coding for M is either of SEQ ID NOS 5 or 7; the polynucleotide coding for PB1 is SEQ ID NO 13; and the polynucleotide coding for PA is SEQ ID NO 11.